



U.S. Department of Justice

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EVENT: Indictment

Defendant: Paul Emerson et al

**TAYLOR DOCTOR, FLAT ROCK POLICE OFFICER CHARGED
WITH ILLEGALLY DISTRIBUTING PRESCRIPTION DRUGS;
DISTRIBUTIONS ALLEGEDLY CAUSE DEATHS OF TWO PATIENTS**

United States Attorney Stephen J. Murphy announced today that an indictment was unsealed charging a Taylor doctor, a Flat Rock police officer, and four other Metro Detroit men with illegal distribution of highly addictive prescriptions drugs. Some of these illegal distributions caused the deaths of two of the doctor's patients.

Mr. Murphy was joined in the announcement by Robert Corso, Special Agent in Charge, Drug Enforcement Administration, Andrew Arena, Special Agent in Charge, Federal Bureau of Investigation and Lamont Pugh, Special Agent in Charge, Health and Human Services, Criminal Investigation.

The unsealed indictment charges PAUL EMERSON, age 49, the owner and operator of

“Emerson Medical Clinic - Board Certified, Family Practice” located in Taylor, Michigan, KENNETH McALLISTER, age 38, former resident of Taylor, Michigan, RICHARD TESTAI age 59, resident of Rochester, Michigan, DAVID DEWITT, age 37, a Flat Rock, Michigan Police Officer, BRIAN BALLINGER, age 31, resident of Wyandotte, Michigan, and JEREMY SZYMECKO, age 30, resident of Southgate, Michigan.

According to the indictment, defendant Paul Emerson prescribed and distributed controlled substances in such a manner that it resulted in the death of two of his patients and the serious bodily injury of another. For privacy reasons the indictment only listed the victims by initials rather than their full name. In addition to being charged with the patients' deaths, the indictment charges Emerson prescribed and distributed controlled substances in exchange for cash, trade and for other consideration, and for no legitimate medical purpose, and he allowed unsupervised non-medical personnel to write prescriptions for controlled substances, and otherwise engaged in an illegal practice. Emerson was also charged with agreeing with Kenneth McAllister, Richard Testai, Brian Ballinger, Jeremy Szymecko and David Dewitt to unlawfully distribute and unlawfully possess with the intent to distribute prescription controlled substances such as Oxycodone (commonly known by trade name - OxyContin and Percocet), Methadone Hydrochloride (commonly known by trade name - Methadose), and Hydromorphone (commonly known by trade name - Dilaudid); Hydrocodone Bitartrate (commonly known by trade name - Vicodin ES, Lorcet and Lortab), Buprenorphine (commonly known as Suboxone); Alprazolam (commonly known by trade name - Xanax), Diazepam (commonly known by trade name - Valium) and Propoxyphene (commonly known by trade name - Darvocet) .

The Indictment further alleges that Kenneth McAllister, Richard Testai, and others would recruit and direct individuals posing as “patients” to Emerson’s Medical Clinic in order to obtain prescriptions for various controlled substances. The purported “patients” would in turn fill the prescriptions at various pharmacies and deliver the controlled substances to defendants Kenneth McAllister, and Richard Testai so that Kenneth McAllister, and Richard Testai could sell the drugs. Additionally the indictment charges that, David Dewitt, Brian Ballinger, and Jeremy Szymecko acted as “patients” who in addition to delivering illegally prescribed controlled substances to their recruiter, would deliver and distribute controlled substances to their associates.

Lastly, the indictment charges defendant David Dewitt, a police officer with the Flat Rock Police Department, with unlawful possession with the intent to distribute several different prescription controlled substances such as Oxycodone (commonly known by trade name - OxyContin, and Percocet), Hydrocodone Bitartrate (commonly known by trade name - Vicodin ES, Lorcet) and Alprazolam (commonly known by trade name - Xanax) and charges him with being an unlawful user of these drugs while possessing his department issued firearm.

United States Attorney Stephen J. Murphy said, "The illicit diversion of controlled substances from doctors and pharmacies around the United States has resulted in a dramatic increase in the abuse of -- and addiction to -- prescription drugs. According to the White House Office of National Drug Control Policy (ONDCP), 'Abuse of prescription drugs to get high has become increasingly prevalent among teens and young adults. Past year abuse of prescription pain killers now ranks second—only behind marijuana—as the Nation's most prevalent illegal drug problem.' Unfortunately, many of the users are under the mistaken belief that abusing prescription drugs are safer than abusing heroin, marijuana, and other 'street drugs.' The sad and untimely deaths of two of Paul Emerson's patients and the serious bodily injury of another, however, shows all too well that abusing prescription drugs are no safer than abusing other drugs."

Robert Corso, Special Agent in Charge for the Drug Enforcement Administration, stated that, "Paul Emerson's, medical degree and authority to prescribe and dispense controlled substances, does not allow him to deliberately dispense controlled substances whenever his whims direct him to. The mere fact that he wears a white coat and dispenses drugs from the comfort of his brightly lit office, makes him no different than a drug dealer who stands on a dark street corner peddling his poison."

Andrew Arena, Special Agent in Charge, Federal Bureau of Investigation, said, "Health care fraud as well as public corruption are both priorities of the FBI which we will continue to aggressively investigate. At this time, I would like to thank Chief Stephen Tallman of the Flat Rock Police Department for his professionalism, assistance, and cooperation throughout this investigation.

An Indictment is only a charge and is not evidence of guilt. A defendant is entitled to a fair trial in which it will be the government's burden to prove guilt beyond a reasonable doubt.

United States Attorney Murphy commended the Drug Enforcement Administration, Federal Bureau of Investigation, Immigration and Customs Enforcement, The National Drug Intelligence Center, as well as the Department of Health and Human Services for their tireless investigation of this matter, and he noted that the case is being ably prosecuted by Assistant United States Attorney Ronald W. Waterstreet